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Atty. Dkt. WEG-2

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Edwin Wegman, et al.  
 Serial No. : 08/356,112  
 Examiner : Ms. Jean C. Witz  
 Filed : December 15, 1994  
 GAU : 1651  
 For : Reduction of Adipose Tissue

OCT 19 1998

Request for Extension of time to File Reply Brief

37 C.F.R. §1.136 (b)

Request is made for a one (1) month extension of time to file the reply brief until November 17, 1998.

This is a first request for extension. The Examiner's Answer has a date mailed from the Office of August 17, 1998.

The reason for the request is medical. Applicant's patent counsel has a medical condition that inter alia in the past two months was an increase in the severity of

03/09/1999 CTHOMAS2 00000002 162126 08356112 requiring physical therapy, and prescription

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for and acquisition of a powered wheel chair. This

interfered with the completion of the brief. Additionally one of the inventors was hospitalized with complications from by-pass heart surgery, and this reduced his input to the brief.

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It is respectfully submitted that this is sufficient cause for granting the one month extension.

The fee for the one month extension is \$55 and should please be charged to deposit account 16-2128. If any additional fee is due then please charge Deposit Account 16-2128.

The additional time requested would be used to polish the brief, and to include perhaps a restatement of the features in the claims which have been perhaps overlooked during examination, and to better focus the issues.

In the event this request is not granted then please enter the attached reply brief.

Respectfully submitted,

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APPELLANTS' REPLY BRIEF

This is in reply to the Examiner's Answer of <sup>August</sup> ~~June~~ 17, 1998.

I. The Examiner has hit the nail on the head in stating:

"It appears that the difference between Appellants' position in this dispute and Examiner's position is one of claim interpretation." (Page 3, lines 5-6 of Examiner's Answer.)